

REMARKS

Claims 1 – 7 are presently pending. In the above-identified Office Action, Claims 1 – 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Herz ('195).

By this Paper, Applicant has amended Claims 1 and 7 and replaced Fig. 2 with a revised Fig. 2. For the reasons set forth more fully below, Applicant respectfully submits that the subject Application properly presents claims patentable over the prior art. Accordingly, reconsideration, allowance and passage to issue are requested.

The subject Application addresses the need in the art for a system or method for customizing search results based on an attribute of the source which is independent from the search request. The invention is set forth in Claims of varying scope of which Claim 7 is illustrative. Claim 7 now recites:

7. A selective information retrieval system disposed at least in part in a computer system, said information retrieval system comprising:
 - first means for receiving an information retrieval request from a first source;
 - second means for receiving said information retrieval request from a second source; and
 - third means for retrieving first data for said first source in response to said request and for retrieving second data for said second source in response to said request **based on attribute of said first source or said second source, said attribute being independent of said request.** (Emphasis added.)

None of the references, taken alone or in combination, teach, disclose or suggest the invention as presently claimed. That is, none of the references teach, disclose or suggest a system or method for customizing search results based on an attribute of the source which is independent from the search request.

In the above-identified Office Action, the Examiner once again cited Herz and suggested that this reference anticipates the invention of Claims 1 – 7. In response to Applicant's arguments submitted March 15, 2004, the Examiner noted that Herz matches user profiles with target data profiles, which in turn point to a variety of databases that contain the target data. However, as noted during a telephonic interview on May 20, 2004, the data returned by Herz is **dependent** on the user profile. Hence, Herz clearly

does not teach or suggest a system or method for customizing search results based on an attribute of the source which is independent from the search request.

During the telephonic interview, the Examiner posited a scenario in which first and second users query a database with respect to their bank account balances. However, such a system or method would not anticipate the present claims inasmuch as search results would not be provided based on an attribute of the source which is independent of the request. On the contrary, there would be a strong correlation between a user and the user's bank account balance.

Clearly, none of the references, taken alone or in combination, teach, disclose or suggest a system or method for customizing search results based on an attribute of the source which is independent from the search request as presently claimed.

Accordingly, reconsideration, allowance and passage to issue are respectfully requested.

Respectfully submitted,
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